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SPEECH OF HON. K. S. BINGHAM.

On Senator Davis' Resolutions. Delivered in the U. S. Senate, Friday, May 25th, 1860.

ndirect and unfriendly nature, possess the power to annual or impair the conty into the common Territories; but it s the duty of the Federal Government there to afford for that, as for other species of property, the needful proection; and if experience should at any time prove that the judiciary does not possess power to insure adequate protection, it will then become the duty of Congress to supply such deficiency.
"5. Resolved, That the inhabitant of

tic institution, shall be maintained or they shall be received into the Union with or without slavery, as their constitution may prescribe at the time of

ternity to the author of the Declaration of Independence, the immortal Jefferson, the Democratic party has ever greatest number; of equal rights and privileges; of a strict construction of by the Federal party. The Democrat-ic party has professed opposition to all of the Supreme Court, which were designed to control the legislation of Congress or to affect the judgment or connever, previous to the year 1846, did the Democratic party, or any of its leaders, deny the power of Congress to legislate exclusively for the Territories, and especially to prohibit the in-

troduction of slavery therein. Immediately after the close of the nounced the great principles of civil policy which were to lie atthe foundation of the new States, to be formed out of what was then the only Territory they possessed; and in 1787, they were formally adopted by Congress in the promulgation of the ordinance

(Mr. Davis,) one of the most distinguished and worthy leaders of the guished and worthy leaders of the Democratic party. It is understood that they have been adopted by a large majority of Democratic Senators in caucus; and although they have not been formally voted upon by the Senate, that in 1802, President they express the opinions and embody they express the opinions and embody the creed, not only of the majority of this honorable body but of the dominant party in the Country. The honorable Senators in control of the same restriction of slavery, by direct legislative enactment; and so unquestioned was understood that they have been adopted by a large could never consent to the measure at the sum thus advanced shall be paid the sum thus honorable body but of the dominant party in the Country. The honorable Senator from South Carolina (Mr. Chestant,) in his discussion of them, says that they "are just, and therefore wise. In regard to the subjects of which they treat, they announce the true doctrine of the Constitution. Among other things they denounce two capital politing hower—the Constitution. Among other limited power—the Constitution of the Constitution of the Constitution of the Constitution to Indiana in 1816, and Mr. Monroe one relating to Illinois in 1818. Acts were passed during the administration of every Democratic of the Constitution. Among other things they denounce two capital politics in the Constitution of the Constitution. Among other things they denounce two capital politics in the Constitution of the Constitution to Indiana in 1816, and Mr. Monroe one relating to Illinois in 1818. Acts were passed during the administration of every Democratic of the immediate annexation of Texas. The discipline of the Democratic of the immediate annexation of Texas. The discipline of the Democratic of the immediate annexation of Texas. The discipline of the Democratic of the immediate annexation of Texas. The discipline of the Democratic participant of the immediate annexation of Texas. The discipline of the Democratic participant of the immediate annexation of Texas. The discipline of the Democratic participant of the immediate annexation of Texas. The discipline of the Democratic participant of the immediate annexation of Texas. The discipline of the party. This was an open and signal triumph of the slave power, of the intervent of the party. This was an open and signal triumph of the slave power, and resolutions were passed in favor of the immediate annexation of Texas. The discipline of the party. This was an open and signal triumph of the slave power, and resolutions were passed in favor of the immediate annexation of Texas. The discipline of the party. The writer professes to feel entire of confidence in the accuracy of the intervent o

foreign slave trade until the year 1818, and that infamous traffic was regarded as legitimate commerce. And yet, in means of perpetuating slavery, or of independent Government, forbidding with all its rights and privileges, condithis species of property, and prohibit-ed the carrying of slaves to any foreign lieving the Northern slave States of up in our habits, and speaking our lanan organized Territory of the United In 1798, ten years before Congress had tracts from that notable speech, which lies. If Texas were in that condition, States, when they rightfully form a authority to prohibit the importation of constitution to be admitted as a State African slaves into the States, in the Mr. Buchanan said: cising the sovereign power of prohibit-

in the States.

Congress praying for permission to a bill entitled, "An act to permit, in proof is clear. It will certainly disap. Mexican Government, by Mr. Calhoun, quisition." certain cases, the bringing of slaves pear, if Texas is re-annexed to the who had succeeded as Secretary of into the Mississippi Territory."

Union."

State, for the action of this Governinto the Mississippi Territory."

which prohibited the introduction of slavery therein. Every new settler, as he crossed the border of that great Territory, to establish for himself and his children a home, had the sol-

requisite that certain provisions should he made, so as to adapt the same to the present Constitution of the United States."

Baltimore Convention of that year; zen of Maryland, then in London, contains the following passage:

"I learn from a source entitled to the for the annexation of Texas while Mexico refused to acknowledge her indepower of Congress to legislate for the pendence and hostilities existed because the provision of the pendence and hostilities existed because the British Government; that he had recreated to the pendence and hostilities are recreated to the pendence and hostilities existed because the British Government; that he had recreated to the pendence and hostilities existed because the British Government; that he had recreated to the pendence and hostilities existed because the provisions should the war which Mexico had taken the precaution to assure on had taken the precaution to assure an unalterable fundamental are on had taken the precaution to assure on had taken the precaution

in the Territories, and of requiring the State Constitutions to conform to the provisions of the ordinanne, but it exthe power to annual or impair the constitutional right of any citizen of the United States to take his slave property in the South-western Territories.

Under the provisions of the Constitutional right of any citizen of the Provisions of the Constitutional right of any citizen of the Provisions of the Constitutional right of any citizen of the Provisions of the Constitutional right of any citizen of the Provisions of the Constitutional right of any citizen of the Provisions of the Constitutional right of any citizen of the Provisions of the Constitutional right of any citizen of the Provisions of the Constitutional right of any citizen of the Provisions of the Constitutional right of any citizen of the Provisions of the Constitutional right of any citizen of the Provisions of the Constitutional right of any citizen of the Provisions of the Constitutional right of any citizen of the Provisions of the Constitutional right of any citizen of the Provisions of the Constitutional right of any citizen of the Provisions of the Constitutional right of any citizen of the Provisions of the Constitutional right of any citizen of the Provisions of the Constitutional right of any citizen of the Provisions of the Constitutional right of any citizen of the Provisions of the Constitutional right of the tution Congress could not restrain the bly undertook to convince the Democ- searcely less important to Texas her-1794, Congress discriminated against strengthening its influence, would, un- the existence of slavery, and by a peocountry, and utterly condemned slaves that terrible incubus upon their pros- guage, could not fail to produce the and slavery as an article of Commerce. perity. I propose to read some ex-most unhappy effects upon both par-

into the Union, may then, for the first time, like the people of a State, when forming a new constitution, decide for makes it unlawful to bring slaves into one serious obstacle, and this was the which no municipal regulations of themselves whether slavery as a domestic institution, shall be maintained or without the United States; imposes a have maintained, and ever shall main-act." fine of \$300 for every slave thus brought tain, the constitutional rights of the In another dispatch, dated January prohibited within their jurisdiction; fine of \$300 for every slave thus brought tain, the constitutional rights of the prohibited within their jurisdiction; into the Territory in violation of the Southern States over their slave prop
16th, 1845, he says:

"But this is not all. act, and gives to every slave thus erty, I yet feel a strong repugnance, "But this is not all. If Texas should brought in, his or her freedom. The by any act of mine, to extend the presdoctrine of "non-intervention" had not been invented at that time, and the Slaveholding Territory. After mature territory with emigrants from Europe. Congress of that day was not hindered reflection, however, I overcame these Extensive arrangements for this are tion of Texas will be the means of lim- into effect as soon as the decision of ization more than sixty years, and is ing the African slave trade in the Terri- iting, not enlarging, the dominion of Texas shall be known. T ese emi almost coeval with the foundation of tories ten years before they were auslavery. There is nothing rash in the grants will bring with them European the Government. Looking for its pathorized to make the same prohibition counsels of the Almighty. May not, feelings and European opinions. Emithen, the acquisition of Texas be the gration from the United States will State Convention, which nominated a In 1804, when the Louisiana Territo- means of gradually drawing the slaves cease; at all events, the people of the Governor and State officers, passed unson, the Democratic party has ever claimed to be the advocate of the largest liberty; of the greatest good to the est liberty; of the greatest good to the greatest number; of course into the Territory from not finally pass off into Mexico, and the control of a population who are any place without the United States, there mingle with a race where no pre- anxious to abolish slavery. Texas will with an additional provision against judice exists against their color? That soon cease to be an American State. the Constitution; and in favor of State the introduction of any slaves from the rights, in opposition to the powers claimed for the Federal Government. The Demonstration of the powers tucky, Missouri, and probably others of the fact alone will destroy the synchronic fact alone will be according to the synchronic fact alone will by the Federal party. The Democratic party has professed opposition to all monopolies—all exclusive privileges; and two of its great leaders, Jefferson—authority which the and Jackson, took open and strong and Jackson took open and strong to the symmetric structure and the strong and the strong to the symmetric strong the symmet and Jackson, took open and strong ground against the political decisions by Jefferson—authority which the hardibood to dispute. Congress after articles are the only staple of agri-

"The question is asked, is slavery years, and probably not half that time."

This territory was at the Southern extremity of the United States, and me to charge that these statements were fraudulently made, with the in-

Territories, and to exclude slavery tween those two Republics. As a pre-Mr. Bingham. The resolutions under discussion were presented by the honorable Senator from Mississippi, (Mr. Davis,) one of the most distinguished and worthy leaders of the guished substitution to the guished and worthy leaders of the guished a

following words:

1. There was danger of a general outbreak in the party, and something only exercised the power unquestioned, only exercised the power unquestioned, of prohibiting the existence of slavery in direct legislation or legislation of an interest, and of requiring the interest and another exercised the power unquestioned, of prohibiting the existence of slavery in the Territories, and of requiring the interest and another existence of slavery in the Territories, and of requiring the interest and another existence of slavery in the Territories, and of requiring the interest and another existence of slavery in the Territories, and of requiring the interest and another existence of slavery in the Territories, and of requiring the interest and another existence of slavery in the slav

uge for the fugitive slaves of Louisana

wards, in the year 1836, repealed and culture, in the pointed and expres-nullified the territorial acts of Florida, sive language of Mr. Randolph. 'If Southern country depends. To this incorporating certain banks and insur-the slave does not run away from his England will stimulate them, and she science of its individual members; but ance companies, and this act received master, the master must run away from will also furnish the means of accomthe sanction of General Jackson. Congress also, in several instances, legislatThis was Mr. Buchanan's declaration. this topic in the dispatch to Mr. Everett. Mr. Robert J. Walker, then a Senator I will only add, that if Texas should In the year 1800, a petition from Mississippi, in a public letter, ex-Mississippi Territory was sent into tensively circulated at the North, said: she cannot maintain that institution ten iting slavery in New Mexico, California,

State, for the action of this Govern- Legislature, still strongly Democratic,

great Territory, to establish for himself and his children a home, had the soldern assurance of the Government that free labor was never to be degraded by its contact with slavery upon that soil, and that free men could only live there.

From this statement it will be seen, by its contact with slavery upon that soil, and that free men could only live there.

I shall undertake to show, Mr. President, that for a long period there.

I shall undertake to show, Mr. President that this benign policy, the salutary effects of which will be acknowledged as long as we respect the virtues of our andestors, was the policy of the restricting and regulating slavery was in the salvent of the support to the measures for five number, were misled and betrayed the number, were misled and betrayed to middlefrence to the honor or dignity the sested sty no feelings of disrespect or indifference to the honor or demicing the number, were misled and betrayed to middlefrence to the honor or dignity, they are the number, were misled and betrayed to misled th edged as long as we respect the virtues of our ancestors, was the policy of the wise and statesmanlike policy of our ancestors, was the policy of the restricting and regulating slavery was Mr. Buchanan from which I have quo-Government under the new Constitution, and especially of the party first known as the Republican, and afterwards as the Democratic party; and wards as the Democratic party; and that the Republican are to accomplish these objects."

Mr. Buchanan from which I have quointeed States to witness with invariably pursued.

But "then arose a new king which known as the Republican, and afterwards as the Democratic party; and wards as the Democratic party; and that the Republican are to accomplish these objects."

The negotiation of the treaty indifference the efforts of Great Britain was about to abolish slavery there. They could not but see that she had the means in her power, in the actual condition of her power. that the Republican party of to-day An influence appeared in the Southern slavery in Texas. All the schemes of Texas, to accomplish the object of her only desires to carry out the principles which were adopted by Republican party of 1800, and by the enforcement of which the present flourishing States of Ohio, Indiana, Illinois, Michigan, Wisconsin, Iowa, and Minneson ta have surung up. One of the first attempt to control the Southern slavery in Texas. All the schemes of the slave power, in carrying slaves into acts under the new Constitution, voted for by many of the men who had come fresh from the Convention which on the 7th of August, 1789, by General Washington; and the preamble in these words, "Whereas, in order that the ordinance of the United States, in Congress idential canvass of that year and the August, 1789, to precipitate the question of the annexation of Texas into the President in Congress because slavery was endangered in Texas that the treaty was concluded in such hot haste.

In the year 1847 resolutions were compelled, by the necessity of the passed by the Legislature of Rhode our Representatives requested: First case, and a regard to its constitutional obligations, to take the step it has, as the only certain and effectual means of preventing it. It has taken it in full view of all possible consequences, but not without a desire and hope this disclosure of the United States, for the purpose of establishing therein shall contain a provision forever advisely, to precipitate the question of the annexation of Texas into the President in 1844. Having acquired in Texas that the treaty was concluded in such hot haste.

I shall take the liberty of reading such to take the step it has, as the only certain and effectual means of preventing it. It has taken it in full view of all possible consequences, but not without a desire and hope that on the United States, for the purpose of establishing therein shall contain a provision forever advised. See the Legislature of New Mexico and they are hereby instructed, and they are hereby instructed, and they are hereby instructed. Find the preside the case, and a regard to its constitutional obligations, to take the step it has, as the only certain and effectual means of preventing it. It has taken it in full view of all possible consequences, but all and a fair disclosure of the United States, for the purpose of establishing therein shall contain a provision forever and the president in 1844. Having acquired in the case, and a regard to its constitutional objects that on the 7th of August, 1789, by General Washington; and the preamble is in these words,

"Whereas, in order that the ordinance of the United States, in Congress idential canvass of that year, and to assembled, for the government of the Territory North west of the river Ohio, may continue to have full effect, it is

limited power—over this subject, and that which claims sovereign power for the inhabitants of a Territory." The fourth and fifth resolutions are in the fourth and fourth and fourth and fifth resolution are fourth and fifth resolution are fourth and four

islature resolved: "That in the acquisition of any new territory, whether by purchase, conquest or otherwise, we deem it the duty of the General Government to extend with all its rights and privileges, conditions and immunities.

In 1849 the following resolutions, offered Hon. E. H. Thompson, were adopted:

tive laws authorizing its existence, yet we believe these territe that Congress has the power, and that it is their duty, to prohibit by legislative enactment the introduction or existence of slavery within any of the Territories of the United States, now or hereafter

"Resolved,

to be acquired.

"Resolved, That our Senators in Congress be instructed, and our Representatives requested, to
structed, and our Representatives requested, to

In the same year the Democratic

" Resolved. That we are opposed to the external Resolved. That we are opposed to the external Resolved. "Resolved, that we are opposed to the extension of slavery into the Territories of new Mexico and California, believing them to be now free in in the virtue of the laws of Mexico, and that its establishment in either of those Territories ought to be prevented."

In the year 1847, the Legislature of New Hampshire, then largely Demo-cratic, resolved:

"That in all territory which shall hereafter be added to, or acquired by, the United States, where slavery does not exist at the time of such addition or acquirement, neither slavery or involuntary servitude, except for the punishment of crime, whereof the party has been duly convicted, ougherer to exist, but the Same should ever remain free: and we are opposed to the extension of slavery over any such territory; and that we also approve the vote of our Senators and Representatives in Congress in favor of the Wilmot proviso."

In 1848 the Lagiclature of that State In 1848 the Legislature of that State

which had an overwhelming Democratic majority, resolved as follows:

and in all other Territories now ac-Immediately after the close of the revolutionary war, Mr. Jefferson announced the great principles of civil petition was introduced into the House passed to the reason assigned to the And in 1849, the New Hampshire

unanimously adopted the following resolulions:

"Resolved by the Senate and House of Representatives in General Court Convened, That, oppose to every form of oppression, the people of New Hampshire have ever viewed with deep regret the existence of slavery in this Union; that while the

our Senators be instructed, and our Representa-tives re requested, to take all constitutional meas-nres to accomplish these objects."

The Democratic State Committee of

United States, &c.: that slavery or in ded from the territory to be annexed."

By the Legislature of Pennsylvania: "Against any measure whatever, by which territory will accrue to the Union unless as a part of the fundamental law upon which any compact and treaty for this purpose is based, slavery or in-voluntary servitude, except for crime; shall be forever excluded."

By the Legislature of Ohio: "For the passage of measures in that body, [Congress,] providing for the exclusion of slavery from the Territory of Oregon, and also from any other be, annexed to the United States."

By the Legislature of Vermont: "Against the admission into the Federal Union of any new State whose onstitution tolerates slavery."

By the Legislature of Connecticut: "That if any territory shall hereafter be acquired by the United States, or annexed thereto, the act by which such territory is acquired or annexed, whatever such act may be, should contain an unalterable fundamental article or provision, whereby slavery or involun tary servitude, except as a punish for crime, shall be forever exclude

And in 1850 the following:

At a State Convention of the Demo cratic party in Massachusetts, composed of more than six hundred members, in 1849, the following resolutions introduced by Hon. B. F. Hallett, then chairman of the National Democratio Committee, and of the State Democratic Committee, were adopted unanimonsly, as appears from the Boston Post, the organ of the party in New England:

"Resolved. That we are opposed to every form and color, and in favor of fre ree soil wherever man lives, through

rama, 18 l'etera, "the state of slavery is a mere municipal regulation, founded upon, and limited to the verge of the territorial law;" that is the limits of the State creating it.

"Resolved, therefore, That as slavery does not exist by any municipal law in the new Territorica, and Congress has no power to institute it, the local laws of any State authorizing slavery, can never be transported there; nor can slavery exist there but by a local law of the Territories, sanctioned by Congress."

This, sir, is pretty good Republican doctrine, coming from high Democratic

authority. In 1840, the Legislature of Ohio resolved:

"That the provisions of the ordinance of Congress of 1787, so far as the same relates to slavery, should be extended to any territory that may be acquired from Mexico, by treaty or

In 1849, Illinois resolved:

"That our Senators in Congress be

instructed, and our Representatives requested, to use all honorable means in their own power to procure the enact-ment of such laws by Congress for the government of the countries and territories of the United States, acquired by the treaty of peace, friendship, limits, and settlement with the Reof Mexico, concluded February 2. A.

D. 1848 as shall contain the express
declaration, that there shall be neither declaration, that there shall be n

slavery nor involuntary servitude in said Territories, otherwise than in the punishment of crime, whereof the party shall have been duly convicted."

The same year the following was adopted in Wisconsin: "That our Senators in Congress

slaveholding States, &c.

By the Legislature of New York:

"That if any Territory is hereafter acquired by the United States; or annexed thereto, the act by which such territory is acquired or annexed, what